

REMARKS

In accordance with the foregoing, claims 1, 5, 6, 10, and 15 are amended. Claim 16 is added. No new matter is added. Claims 1, 4-6 and 9-15 are pending and under consideration.

CLAIM AMENDMENTS

Independent claims 1, 6, and 15, are amended herewith to specify (a) that the image of the form is read/ captured optically, and (b) specifying how recognizing or searching for the payee account number is performed. The claim amendments are fully supported by the originally filed specification, for example, see for claim amendment (a) page 7, lines 26-27 (i.e., the optical scanner 11), and for claim amendment (b) FIG. 6 and the corresponding description in the specification. Claims 5 and 10 depending from claims 1 and 6, respectively, are amended to remove repetitive recitations in view of the independent claim amendments.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 4, 6, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,885,769 to Morita et al. (hereinafter "Morita") in view of U.S. Patent No. 6,351,735 to Deaton et al. ("Deaton"). Claims 5, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita, in view of Deaton and in further view of U.S. Patent No. 6,363,362 to Burfield ("Burfield"). Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita, in view of Deaton and in further view of U.S. Patent Application Publication No. 2002/0073060 to Geisel et al. ("Geisel").

Claim 1 is directed to a payment form discrimination method for discriminating a payment form which states at least a payee account number and a payment amount. The method includes **acquiring** an image of the form by reading the form, **searching** for the payee account number in the image in an unknown position of the form in accordance with an account number searching rule, and **discriminating** the type of form based on the searched payee account number (emphasis added). The **searching** for the payee account number in the image in an unknown position includes **recognizing** said payee account number in accordance with said account number searching rule in a searching table which registers recognition categories and regularities regarding a character string from the acquired image to find the account number in the unknown position, and **judging** whether or not said recognized payee account number is matched with the registered account number in a account master table (emphasis added). The recognizing of said payee number includes **searching** hyphens in the image, and **recognizing**

said payee account number at surrounding areas of said searched hyphen in the image. The **discriminating** of the type of form includes **discriminating** the type of form by referring to a document information table that stores the account number and its type of the form by said judged payee account number.

In the Amendment filed on July 28, 2006, Applicants argued that Morita does not anticipate “searching for the payee account number in the image in an unknown position of the form” (emphasis added). In the outstanding Office Action, it is submitted that Morita fails to teach the above-cited feature¹, but the Office Action relies on Deaton to disclose this missing feature.

Deaton discloses a character recognition and confirmation system in which a magnetic head reads the MICR portion of a check, and an account number is recognized within the MICR portion. **Magnetic Ink Character Recognition (MICR)** is a character recognition system that uses special ink and characters. When a document containing portions printed with the special ink passes through a special apparatus, the ink is magnetized and the information is read by a magnetic head. Deaton’s method is able to analyze only portions of the check written with the special ink which is limiting, the portions not being “an unknown position.” Deaton explicitly states that the method presented therein has the ability “to detect customer account number on any and all bank checks, regardless of the location of the account number within the MICR number”² (emphasis added). In other words, Deaton’s method does not identify the account number at “an unknown position,” but the method identifies the account number within a limited portion of a document, within the MICR number.

Burfield also discloses a check verification system by identifying in the MICR line of a check hyphens and/or spaces³. Therefore, Burfield does not correct or compensate for the above-identified deficiency of Morita and Deaton in teaching or suggesting all the features recited in independent claim 1.

None of Morita, Deaton, or Burfield teaches or suggests searching the payee account number in an optically acquired image in an unknown position. The MICR reading method acquires information magnetically and for a character to be recognized it has to be located in a known region written with special ink, which magnetizes. The MICR line, or portion is not in an “unknown position” as recited in claim 1, and in the cited prior art the information from the MICR areas is acquired magnetically and not optically.

¹ See the Office Action mailed October 6, 2006, page 5, lines 1-2.

² See Deaton, col. 24, line 67 to col. 25, line 2.

³ See Burfield, col. 17, lines 1-10.

Independent claim 1, and claims 4, 5, 11 and 12, depending from claim 1 patentably distinguish over the cited prior art at least because claim 1 recites:

- “acquiring an image of the form by **optically reading the form**”,
- “searching for the payee account number in the image **in an unknown position** of the form in accordance with an account number searching rule” and
- recognizing the payee account includes “**searching hyphens in the image**” and “recognizing said payee account number at **areas surrounding a hyphen found in the image**” (emphasis added).

Independent claim 6 and claims 9, 10, 13 and 14, depending from claim 6 patentably distinguish over the cited prior art at least because the cited prior art does not teach or suggest the following features of claim 6:

- “an image reader for acquiring an image of the form by **optically reading the form**”;
- “a processing unit, which performs searching for the payee account number in the image **in an unknown position** of the form” and
- recognizing the payee account number includes “**searching for hyphens in the image**,” and “recognizing said payee account number in **areas surrounding a hyphen found in the image**” (emphasis added).

Claim 15 is also patentable over the cited prior art at least by reciting:

- “**optically capturing** an image of a payment form of an unknown type” and
- “searching for and determining” the account number includes “**searching for hyphens in the image**,” and “recognizing said payee account number at **areas surrounding a hyphen found in the image**” (emphasis added).

NEW CLAIM 16

New claim 16 is directed to a method of determining a type of a payment form which includes an account identifier. Claim 16 is fully supported by the originally filed specification and claims, for example, FIGS. 6-8 and the corresponding description in the specification. Claim 16 patentably distinguishes over the cited prior art at least by reciting “locating a predetermined character anywhere within the image” and “determining the type of the payment form based on the account identifier which includes the located predetermined character.”

CONCLUSION

It is submitted that the claims satisfy the requirements of 35 U.S.C. 103. It is also submitted that claims 1, 4-6, and 9-15 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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